

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCO A. LOPEZ,

Defendant.

**8:22–CR–223**

**ORDER GRANTING MOTION TO  
WITHDRAW AND DENYING MOTION  
TO REDUCE SENTENCE**

This matter is before the Court on the *pro se* Motion to Reduce Sentence filed by defendant Marco Lopez, Filing 78, and the Motion to Withdraw filed by Federal Public Defender, Mr. David R. Stickman, Filing 80. The Office of the Federal Public Defender was appointed to represent the defendant pursuant to General Order No. 2023-09. Filing 79. The purpose of this appointment was to determine whether the defendant qualified “for relief pursuant to either the 2023 U.S. Sentencing Guidelines amendments of [U.S.S.G. § 1B1.13](#) or [U.S.S.G. § 1B1.10](#) providing for the retroactive application of Amendment 821[.]” Filing 79 at 1. Mr. Stickman has moved to withdraw as counsel because “the Defendant has one criminal history point and was not assessed any ‘status criminal history points’ in the Presentence Investigation Report and therefore no sentence reduction on this basis is allowed.” Filing 80 at 1. The United States Probation Office also submitted a worksheet in this case which states that the Defendant is not entitled to a reduction. Filing 81.

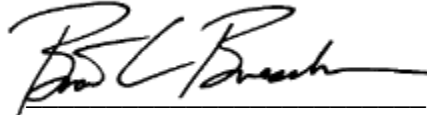
The Court has conducted its own review of the defendant’s *pro se* Motion along with other relevant matters in the record. The Court concludes that the Defendant is not entitled to the sentencing relief she seeks. His *pro se* Motion is without merit and will be denied. The Court likewise concludes that Mr. Stickman’s Motion to Withdraw should be granted for the reasons he set forth in his Motion. Accordingly,

IT IS ORDERED:

1. Federal Public Defender David R. Stickman's Motion to Withdraw, Filing 80, is granted; and
2. Marco Lopez's *pro se* Motion to Reduce Sentence, Filing 78, is denied.

Dated this 22nd day of October, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher  
United States District Judge